



City of Arcola

13222 Highway 6—Arcola, Texas 77583—Phone: 281-431-0606

www.arcolatexas.org

Minutes of a **Regular Meeting** of the City Council of the City of Arcola, County of Fort Bend, State of Texas, held on **Tuesday, July 11, 2023**, beginning at 6:00 p.m. at: Arcola City Hall, Room 124; 13222 Highway 6; Arcola, Texas 77583 for the purpose of considering the following items. The City Council of the City of Arcola, Texas, reserves the right to meet in closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- I. CALL TO ORDER:** Mayor Fred A. Burton called the meeting to order at 6:00 p.m.
- II. INVOCATION:** Council Member Evelyn Jones gave the Invocation.
- III. PLEDGE OF ALLEGIANCE TO THE FLAG:** Council Member Greg Abarr led the Pledge of Allegiance to the Flag.
- IV. ROLL CALL:** Mayor Fred A. Burton, Mayor Pro-Tem Florence Jackson, Council Member Evelyn Jones, Council Member Ebony Sanco, Council Member Greg Abarr, and Council Member Rosemary Bigby were present. Also present were City Attorney Debra Mergel, City Attorney Grady Randall, City Secretary Sally Cantu, and City Administrator Dr. Annette Guajardo.

V. PUBLIC COMMENTS.

GENERAL COMMENTS FROM THE AUDIENCE. Citizens who desire to address the City Council with comments of a general nature will be received at this time. The total amount of time that a member of the public may address the City Council is limited to three (3) minutes, provided that any member of the public who addresses the City Council through a translator is limited to six (6) minutes. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking any action on items not listed on the agenda. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments. City Council heard comments from Brandon McNallon, Rodrigo Carreon, Priscilla T. Graham, Joyce Dade Landry, Rich Muller, Larry Blackman, and Betty Hall,

COMMENTS FROM THE AUDIENCE FOR CONSENT AND REGULAR AGENDA ITEM Citizens who desire to address the City Council, with regard to matters on the Consent Agenda or Regular Agenda will be received either at this time or, if they state at this time that they elect to do so, during the City Council's consideration of the item. The total amount of time that a member of the public may address the City Council on a given item is limited to three (3) minutes, provided that any member of the public who addresses the City Council on a given item through a translator is limited to six (6) minutes. Comments or discussion by the City Council Members will only be made at the time the agenda item is scheduled for consideration. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments. None

- VI. CITY COUNCIL COMMENTS:** Mayor Pro-Tem Florence Jackson, Council Member Evelyn Jones, Council Member Greg Abarr, Council Member Ebony Sanco, and Council Member Rosemary Bigby.
Mayor Pro-Tem Florence Jackson commented that they hear the citizens' concerns, and she does not want the airport to go to the County because she knows what will happen. She plans to serve the city as Mr. Jackson.
Council Member Evelyn Jones is concerned about the attempting dis-annexation of Fenn Road and honoring the Developer's contracts, leaving the city open for litigation. Council Member Greg Abarr is concerned about the loss of property taxes and sales taxes if the airport gets purchased by the County. He also opposes the expansion of the runway. A significant amount of properties also would be taken off the tax rolls. Council Member Abarr wanted the citizens to know that the City of Arcola has not violated any contracts. Council Member Ebony Sanco wants to do what is best for the City and make the right decision and not put the city in a bad position. Council Member Rosemary Bigby wants what is fair. She is listening to Ms. Landry's problem and taking it in.

VII. PUBLIC HEARINGS:

- A. Public hearing before the City Council to determine whether the building located at 13301 Highway 6, Arcola, TX violates minimum standards for continued use and occupancy.**
This hearing before this Council of the City of Arcola is to determine whether the building at 13301 Highway 6, Arcola Texas complies with the city's minimum standards for use and occupancy, as set out in the City's Code of Ordinance. The City Council may only consider the evidence presented at the hearing in rendering this decision.

Mayor Fred Burton called the building inspector to present his case on the condition of the building located at 13301 Highway 6, Arcola, Texas.

Mayor Burton heard from Council Member Rosemary Bigby and Council Member Ebony Sanco.

The City Council heard from Attorney Braxton Evans representing Mr. and Mrs. Mike Saenz in the building located at 13301 Highway 6.

Mayor Burton asked if there were any comments from the public on 13301 Highway 6 property.

The City Council heard from Chris De Los Santos.

Mayor Burton closed the public hearing on the building located at 13301 Highway 6.

B. Public hearing before the City Council regarding overgrown detention pond that is not being maintained at 21821 South Post Oak Boulevard.

Mayor Burton announced that the overgrown detention pond at 21821 South Post Oak Boulevard has been addressed.

VIII. CONSENT AGENDA: None

IX. REGULAR AGENDA:

A. Discussion, Consideration and Possible Action—Previous meeting minutes and related matters.

After review of previous meeting minutes, **Mayor Pro-Tem Florence Jackson moved** to approve minutes of May 16, 2023, June 13, 2023, and June 20, 2023; **seconded by Council Member Ebony Sanco**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco and Rosemary Bigby
Nay: 0

Motion carried. 5-0

B. Updates from Mayor Fred A. Burton, including:

1. Fort Bend County Purchase of Airport, and related matters. Mayor Burton addressed that they have sent multiple emails, and text messages to the County asking them to provide information for this meeting. Mayor Burton addressed that those who live in the airport area who have concerns and comments haven't heard anything from the County other than they want to take over. He said that it is not a good thing for the City to agree with the County taking over the airport for tax reasons on the airport property. If the County takes over the airport it takes it off the city's tax roll. If the County takes over the airport and the developers who have property on Highway 6 and Post Oak would not help the city on the tax side, taxes will go up. He thanked all the businesspersons present for bringing in commercial businesses into the city.

2. City Hall Dumpster. Mayor Burton asked Council Member Evelyn Jones to quit bringing her trash to the City Hall dumpster. He noted that the city provides waste management for individual trash services.

3. Fenn Road Development. Mayor Burton read the history of Fenn Road relative to the annex and dis-annex of Developer's signed development agreement he wants to change to help the city.

C. Discussion, Consideration and Possible Action—Update from Finance Director, Ruthie Cable, including:

1. Month of June 2023 Bookkeeping Report and Financial Report and related matters.

Council Member Rosemary Bigby moved to table Item C.; **seconded by Mayor Pro-Tem Florence Jackson**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, and Rosemary Bigby
Nay: 0

Motion carried. 5-0

D. Discussion, Consideration and Possible Action—Update from L. Garrette, Permit Administrator, including:

1. Month of June 2023 Permit Report and related matters.

Mayor Burton asked Ms. Garrette if she had the count of homes on the ground off Post Oak Road. She responded that she did not. Mayor Burton asked her to coordinate with D. R. Horton every three days.

Permit Administrator L. Garrette reviewed the June 2023 Permit Report.

Council Member Ebony Sanco asked why she is not getting a response from D. R. Horton. She responded that she contacted D. R. Horton, and they did not return her calls. Mr. Nino Corbett and a member of his staff gave a response. Mr. Corbett said that he will work with Ms. Garrette on the issue.

Mayor Pro-Tem Florence Jackson so moved to accept the month of June 2023 Permit Report by Permit Administrator L. Garrette; **seconded by Council Member Ebony Sanco**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, and Rosemary Bigby
Nay: 0

Motion carried. 5-0

E. Discussion, Consideration and Possible Action—Update from John Montgomery, Municipal Operations and Consulting, including;

1. June 2023 Operator's Report and related matters.

Council Member Rosemary Bigby moved to table Item E.; **seconded by Council Member Ebony Sanco**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco, and Rosemary Bigby
Nay: 0

Motion carried. 5-0

F. Discussion, Consideration and Possible Action—ORDINANCE NO. 2023-07-11; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS DETERMINING THAT THE BUILDING LOCATED AT 13301 HIGHWAY 6, ARCOLA, TEXAS IS A DANGEROUS STRUCTURE UNDER 16.08 DANGEROUS STRUCTURES OF THE CITY OF ARCOLA CODE OF ORDINANCES AND CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE; AND ORDERING THE OWNERS TO DEMOLISH THE STRUCTURE.

After review of Ordinance No. 2023-07-11; **Council Member Rosemary Bigby so moved** to approve ORDINANCE NO. 2023-07-11; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCOLA, TEXAS DETERMINING THAT THE BUILDING LOCATED AT 13301 HIGHWAY 6, ARCOLA, TEXAS IS A DANGEROUS STRUCTURE UNDER 16.08 DANGEROUS STRUCTURES OF THE CITY OF ARCOLA CODE OF ORDINANCES AND CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE; AND ORDERING THE OWNERS TO DEMOLISH THE STRUCTURE; **seconded by Council Member Greg Abarr**.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Greg Abarr, Ebony Sanco, and Rosemary Bigby

Nay: Council Member Evelyn Jones

Motion carried. 4-1

G. Discussion, Consideration and Possible Action—Update from Kaluza, Inc. including:

1. City Hall Sanitary Sewer Lift Station
2. Sanitary Sewer System Evaluation & Rehabilitation
3. Engineering Design Projects, including;
 - a. Fort Bend County MUD #141 – Petition for Arcola Consent to Annex 98 Acres into MUD #141
4. Fresh Water Supply District #1 Wastewater Treatment Plant Expansion (500,000 to 700,000 mdg Expansion)

1. Mr. Turner reported that they are waiting on the bonding company to proceed. A contractor has been selected and waiting on the process.

2. He reported that they are going to perform Smoke Testing in the sewer lines beginning July 17, 2023 to determine any improper connection to the sanitary sewer system. Information will be provided to the customers.

3. He presented information on the petition for Arcola Consent to Annex 98 acres into MUD #141. The property is in the City's ETJ. They still must come before the City Council for approval. They are in the County.

4. He reported that the City of Arcola received a letter from FWSD No. 1 requesting to expand wastewater capacity. The city must respond to FWSD No. 1 if the city is going to participate and how much is the city going to participate.

Council Member Greg Abarr moved to accept FWSD No. 1's 500,000 gallons proposal and in addition to that, propose that the City of Arcola participate in 100,000 gallons per day; **seconded by Council Member Evelyn Jones**. All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Greg Abarr, Ebony Sanco, and Rosemary Bigby
Nay: Council Member Evelyn Jones
Motion carried. 5-0

H. Discussion, Consideration and Possible Action—RESOLUTION NO. 07-11-2023; RESOLUTION CONSENTING TO THE ADDITION OF LAND INTO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 141.

Council Member Greg Abarr moved to table Resolution No. 07-11-2023; **seconded by Council Member Evelyn Jones.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco and Rosemary Bigby
Nay: 0
Motion carried. 5-0

I. Discussion, Consideration and Possible Action—10/20 Year Write Off of Property Taxes per Texas Property Tax Code Section 33.05 “Limitation on Collection of Taxes” and related matters.

After discussion, **Council Member Greg Abarr moved** to approve the 10/20 Year Write Off of Property Taxes per Texas Property Code Section 33.05 “Limitation of Collection of Taxes” submitted by County Tax Assessor Collector Carmen P. Turner, MPA, PCC, CTOP; **seconded by Mayor Pro-Tem Florence Jackson.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco and Rosemary Bigby
Nay: 0
Motion carried. 5-0

J. Discussion, Consideration and Possible Action—Update from Chief A. Carr, Arcola Police Department; including;

1. Month of June 2023 Police Report and related matters.

Mayor Pro-Tem Florence Jackson moved to table Item J., seconded by **Council Member Evelyn Jones.** All were in favor.

Mayor Burton announced the Back-to-School Backpack Drive is July 29, 2023 from 10:00 a.m. through 2:00 p.m. at City Hall. You can register on-281-331-081line.

K. ADJOURNMENT.

Council Member Evelyn Jones moved to adjourn at 8:10 p.m.; **seconded by Council Member Florence Jackson.** All were in favor.

Aye: Mayor Pro-Tem Florence Jackson and Council Members Evelyn Jones, Greg Abarr, Ebony Sanco and Rosemary Bigby
Nay: 0
Motion carried. 5-0